

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/715,439
Filing Date: November 16, 2000
Applicant: Shelton Louie et al.
Group Art Unit: 5706
Examiner: Vanel Frenel
Title: PRESCRIPTION ORDER POSITION TRACKING SYSTEM
AND METHOD
Attorney Docket: 15551-000001/US

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LETTER TO THE OFFICIAL DRAFTSPERSON

Attached are six (6) sheets of formal replacement drawings for this application, with each sheet indicating the title, inventor's name, and application number on the front of each sheet and centered within the top margin, together with a copy of the Notice of Allowability.

Respectfully submitted,

Dated: Nov 12, 2010

By: John R. Dawson

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Notice of Allowability	Application No.	Applicant(s)	
	09/715,439	LOUIE ET AL.	
	Examiner	Art Unit	
	VANEL FRENEL	3687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/26/09 Amendment.
2. ☒ The allowed claim(s) is/are 1-2, 4-6, 44-51, 62-63, 65.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <p>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____</p> <p>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</p> | <p>5. <input type="checkbox"/> Notice of Informal Patent Application</p> <p>6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____.</p> <p>7. <input type="checkbox"/> Examiner's Amendment/Comment</p> <p>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</p> <p>9. <input type="checkbox"/> Other ____.</p> |
|---|---|

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Amendment filed on 8/26/09. Claims 3, 7-43, 52-61 and 64 have been cancelled. Claims 1 and 62 have been amended. Claims 1-2, 4-6, 44-51, 62-63 and 65 are pending.

Allowable Subject Matter

2. Claims 1-2, 4-6, 44-51, 62-63 and 65 are allowed. The following is an examiner's statement of reasons for allowance and in light of Applicant's arguments.

Independent claims 1, 44, and 62 are directed to moving the prescription orders by hand to a second location within the pharmacy for manual filling upstream of the storage area, the second location having a second location tag reader in communication with the computer system; automatically detecting the presence of the prescription orders at the second location by reading the unique identifier of the remote tags with said second location tag reader regardless of the orientation of said tags and automatically recording at the computer system the location of the prescription orders at said second location for the manual filling; moving each of the prescription orders by hand to one of the compartments in the array of compartments as a filled prescription order, each compartment having a corresponding compartment tag reader that is in communication with the computer system and is operable to read the unique identifier of the tag on the filled prescription order regardless of the orientation of the tag, whereby the step of associating the unique identifier of each tag with customer

Art Unit: 3687

information and the step of automatically detecting the presence of the prescription orders are performed by or under control of the computer system as recited above in claims 1, 44 and 62.

Claims 2, 4-6, 45-51, 63, and 65 incorporate the features of claims 1,44 and 62 through their dependencies, and are also allowed for the same reasons given above.

The drawings filed on 11/16/00 have been acknowledged and considered by the Examiner.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VANEL FRENEL whose telephone number is (571)272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3687

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vanel Frenel/

Primary Examiner, Art Unit 3687

October 1, 2009